

SICHENZIA ROSS FRIEDMAN FERENCE LLP  
ATTORNEYS AT LAW

January 31, 2014

*Via Facsimile (212) 805-7901 & ECF*

Honorable Harold Baer, Jr.  
United States District Court  
Southern District of New York  
500 Pearl Street  
Chambers 2230  
New York, New York 10007

Re: In re: Longwei Petroleum Investment Holding  
Limited Securities Litigation, Case No. 1:13-CV-00214-HB

Dear Judge Baer:

This firm previously represented Michael Toups, a defendant in the above-referenced class action. On January 30, 2014, this firm sought, with Mr. Toups' consent and approval, the Court's permission to withdrawal as Mr. Toups' counsel. (See Dckt. # 145.) On January 31, 2014, Plaintiffs opposed this firm's request to withdraw as Mr. Toups' counsel because, inter alia, we did not satisfy Local Civil Rule 1.4. (See Dckt. #146.)

Contrary to Plaintiffs' assertions, this firm has satisfied its Rule 1.4 obligations. Initially, our request is with Mr. Toups' consent. Notwithstanding, this litigation is still in its early stages. We filed our request before any discovery commenced – discovery, we note, that is not scheduled to conclude until July 2015 pursuant to the Court's Pre-Trial Scheduling Order. Further, this firm is not asserting a retaining or charging lien against Mr. Toups.

Plaintiffs also assert that this firm's withdrawal request is a "thinly disguised attempt to avoid having to address whether [it] fulfilled its obligations to preserve documents relevant to Plaintiffs' claims." This assertion is without merit. As we previously advised the Court during our appearance on August 7, 2013, this firm sent a document preservation memorandum to Defendant Longwei Petroleum Investment Holding Limited, which memorandum was also provided to Mr. Toups. Consistent with our obligations under the Federal Rules, this firm will preserve documents in our possession relevant to Plaintiffs' claims.

Please contact me if you require any additional information.

Respectfully submitted,



Christopher P. Milazzo (CM-9974)

cc: Richard W. Gonnello, Esq.

